



California State Fire Marshal **CODE INTERPRETATION**

Date Issued	04-21-00	Interpretation #	00-001
Topic	AHJ's Authority High-Rise Buildings		
Code Section(s)	§103.1.4.1, California Fire Code (1998 ed.) §103.1.4.2, California Fire Code (1998 ed.) §403.11.1, California Fire Code (1998 ed.) §3.09, Title 19, California Code of Regulations		
Requested by	Gary Massetani, Fire Marshal San Francisco Fire Department 698 Second Street, Room 109 San Francisco, CA 94107		
Prepared by	Joe Garcia, Division Chief (559) 437-1514		

- 1. In Section 103.1.4.1 and Section 103.1.4.2, California Fire Code (1998 edition), does the amended Section 103.1.4.2 take precedence over Section 103.1.4.1?**
The amended section takes precedence but only in occupancies regulated by the State Fire Marshal.
- 2. If a request for alternate materials or type of construction is submitted to the local enforcing agency, must the local agency create a board of appeals as described in Section 103.1.4.1?**
Yes. However, the appeals addressed by this board are for issues related to occupancies not regulated by the State Fire Marshal.
- 3. If a local board of appeals is not required, is the proper procedure for submitting an appeal by the applicant to file a written appeal to the State Fire Marshal?**
Yes.
- 4. Is this determination binding for the local authority?**
No. It is a recommendation.
- 5. If a local board is required, is the fire chief required to follow the determination of the board? Could he or she appeal to the State Fire Marshal if the local authority does not agree with the decision?**

The local fire chief would have to follow the determination of the board and could not appeal the issue to the State Fire Marshal.

6. Does the local authority have any discretion in determining if a structure is a high-rise building when the building access is more than two feet above the adjacent ground level?

As defined in Section 13210 (b) of the California Health and Safety Code, high rise structure is defined as “ a building of any type of construction or occupancy having floors used for human occupancy located more than 75’ above the lowest floor level having building access”... . The statute does not use the term “fire department access”. The local authority does have discretion in determining if a structure is a high-rise. That determination could be appealed to the State Fire Marshal if the building is a SFM-regulated occupancy.

7. Do Title 19 regulations require that high-rise buildings supply emergency procedures for visually impaired persons?

Section 3.09 (b) requires that emergency procedure information be provided for visually impaired persons in hotels, motels and lodging houses regardless of their height. It must be noted that Section 3.09 (a) exempts high-rise office buildings. (NOTE: The State Fire Marshal recognizes the need to address visually-impaired persons and currently has a task force working on this very issue.)